

REMARKS

The Application has been carefully reviewed in light of the Office Action mailed December 20, 2002. At the time of this Office Action, Claims 1-95 were pending in the Application, of which Claims 1-95 were rejected. In order to advance prosecution of this case, Claims 1, 47, 74, 85 and 93 have been amended and rebuttals to various rejections have been made within the Remarks. It is believed that the amended claims do not involve any introduction of new matters, whereby entry is believed to be in order and is respectfully requested. The Applicants respectfully request reconsideration and favorable action in this case.

The following actions were taken or matters raised: (I) The Office advised that previously filed Affidavits and other responses warrant further consideration and will be addressed in a subsequent Office Action; (II) Claims 1-14, 17-33, 36-41, 44-65, 67-71, 74-79, and 81-95 are rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,652,936 issued to Klees et al. ("Klees"); and (III) Claims 15, 16, 34, 35, 42, 43, 66, 72, 73 and 80 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,652,936 issued to Klees et al. ("Klees") in view of U. S. Patent No. 6,283,646 issued to Dellert et al. ("Dellert") or U. S. Patent No. 6,147,742 issued to Bell et al. ("Bell").

I. Claim Rejections Under 35 U.S.C. 102(b)

The Office has rejected Claims 1-14, 17-33, 36-41, 44-65, 67-71, 74-79, and 81-95 under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,652,936 issued to Klees et al. ("Klees"). The Office asserts that Klees discloses 1.) a stand alone photographic photofinishing apparatus having means to receive payment from the customer (16), the means includes credit cards and prepaid cards; 2.) the kiosk has a display screen (14) and keypad (31) to interface with the customer; means to accept a film cartridge (12) or digital image input means (27); 3.) the customer receives a printed receipt which may include a barcode; and a printer, which may comprise different types of printers, to produce photographic prints; 4.) the apparatus produces digital data using the scanning means (25) and is capable of displaying the digitized images to the customer; 5.) the images may be printed at a remote site; and 6.) the apparatus anticipates using different types of digital data including data in disc form.

The Applicants submit that the Office has misconstrued several aspects of the disclosures made in Klees. Each one of such aspects is discussed below in detail.

With respect to prepaid cards, Klees does not disclose means or intent for accepting prepaid payment cards (e.g., a prepaid photoprocessing card). Klees discloses that the customer 30 is requested to swipe their credit card or to make appropriate payment at the payment mechanism 16. (col 3, lines 29-31). Klees discloses "...the delivery mechanism

20 is also disposed apart from the workstation 19 so as to allow the second customer (i.e., a customer who has already performed a processing transaction at the workstation 19) to pick up the order if the order has been prepaid (col. 4, lines 32-35). By prepaid, Klees is referring to a customer having paid for their order with a credit card or cash (i.e., at the payment mechanism 16) when requesting desired photoprocessing service at the workstation 19. In this manner, an order would be prepaid with respect to the when the order is picked up.

The intent for disposing the delivery mechanism 20 apart from the workstation 19 is to allow a photoprocessing service request (including payment) to be performed at the workstation 19 and delivery of completed orders to be performed at the delivery mechanism 20. In this manner, a customer who has already paid for (i.e., prepaid in the context of Klees) their order when earlier performing the photoprocessing service request at the workstation 19 may subsequently pick up their order at the delivery mechanism 20, thus not preventing another customer from completing a separate photoprocessing service request in a simultaneous fashion at the workstation 19.

With respect to scanning means 25 disclosed in Klees, the scanning means 25 is intended, as disclosed, to enable customer-provided media (e.g., film that has been previously developed, prints that have been previously produced, etc) to be scanned for enabling corresponding digital records of images to be printed (col. 2, line 65-67). Klees

does not disclose any means, intent or motivation for scanning developed film in a system-automated manner in response to the undeveloped film being developed to produce the developed film. Klees is specifically providing a means for enabling a customer to make prints from previously processed film (i.e., through the use of the scanning means 25).

Klees does not disclose any means, intent or motivation for displaying digitized images from scanned developed film. More specifically, Klees does not disclose any means, intent or motivation for displaying digitized images from scanned developed film, wherein the developed film is scanned in a system-automated manner in response to the undeveloped film being developed to produce the developed film. Klees discloses a touch screen video display 14 (i.e., a first display 14) and a customer order status display 24 (i.e., a second display 24). Klees discloses that the first display 14 is used for facilitating order entry (col. 2, lines 33-36; col. 2, lines 25-36; and col. 61-64) and that the second display 24 is used for displaying order status, such as displaying that customer X's order is now ready for delivery (col. 2, lines 53-56; col. 2, lines 60-64; and col. 3, lines 48-57).

Independent Claims 1 and 85, as amended, each recite that respective claimed film processing systems digitize developed film in a system-automated manner in response to undeveloped film being developed to produce the developed film, which is not disclosed in or motivated by Klees. Independent Claim 47, as amended, recites that the claimed self-service digital film processing system comprises a scanning system operable to scan the

coated developed film and produce sensor data in a system-automated manner in response to the undeveloped film being developed, which is not disclosed in or motivated by Klees. Independent Claim 74, as amended, recites that the claimed method for allowing a customer to process their own photographic film comprises scanning the developed film within the self-service film processing system to produce digital images, wherein said scanning data is performed in a system-automated manner in response to developing the undeveloped film, which is not disclosed in or motivated by Klees. Independent Claim 93, as amended, recites that the claimed prepaid photoprocessing card comprises an encoded data device that contains information designating a money balance available for payment in a self-service film processing system, which is not disclosed in or motivated by Klees.

Accordingly, independent Claims 1, 47, 74, 85 and 93, and hence all claims dependent thereon, are patentable under 35 U.S.C. 102(b) over Klees because they recite features, physical structure and/or function not disclosed in, not motivated by and not intended to be provided by the disclosures made in Klees and therefore distinguish physically over the disclosures made in Klees. In view of the amendments made to independent Claims 1, 47, 74, 85 and 93, the Applicants submit that the rejection under 35 U.S.C. § 102(b) applied to Claims 1-14, 17-33, 36-41, 44-65, 67-71, 74-79, and 81-95 in view of Klees is overcome. Accordingly, the Applicants respectfully request the Office to withdraw the rejection asserted against Claims 1-14, 17-33, 36-41, 44-65, 67-71, 74-79, and 81-95 under 35 U.S.C. § 102(b) as being anticipated by Klees.

II. Claim Rejections Under 35 U.S.C. 103(a)

The Office has rejected Claims 15, 16, 34, 35, 42, 43, 66, 72, 73 and 80 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,652,936 issued to Klees et al. ("Klees") in view of U. S. Patent No. 6,283,646 issued to Dellert et al. ("Dellert") or U. S. Patent No. 6,147,742 issued to Bell et al. ("Bell"). The Office asserts that Klees does not disclose that the standalone unit is connected with a communication network and has means of transmitting digital images across the network. The secondary references disclose using a communications network to transmit digital images as part of the photofinishing process and communicating with laboratories or kiosks. One of ordinary skill in the art would have recognized that using this known and increasing popular method of photofinishing would provide financial benefits and would have been motivated to include the arrangement with the Klees et al. apparatus.

The Applicants respectfully submit that the rejection of Claims 15, 16, 34, 35, 42, 43, 66, 72, 73 and 80 under 35 U.S.C. § 103(a) as being unpatentable over Klees in view of Dellert or Bell is traversed. Specifically, in view of the amendments made to independent Claims 1, 47, 74, 85 and 93 and corresponding remarks, the Applicants submit that independent Claims 1, 47, 74, 85 and 93 are novel and non-obvious with respect to Klees. Hence, the Applicants submit that Claims 15, 16, 34, 35, 42, 43, 66, 72, 73 and 80, which

are dependent upon respective ones of independent Claims 1, 47, 74, 85 and 93 are novel and non-obvious with respect to Klees, Dellert and Bell.

CONCLUSION

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-372-8240 at the Examiner's convenience.

Respectfully Submitted,
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APPENDIX A

Marked-Up Version of Amended Claims

WHAT IS CLAIMED IS:

1. (Amended) A customer operated self-service film processing system comprising:
 - a display viewable by the customer; and
 - a film processing system operable to receive undeveloped film, wherein the film processing system develops the undeveloped film and digitizes the developed film to produce[s] digital images that are displayable[ed] on the display for being viewed by[to] the customer and wherein the film processing system digitizes the developed film in a system-automated manner in response to the undeveloped film being developed.

47. (Amended) A self-service digital film processing system comprising:
 - a customer interface having a display and a film receptacle operable to receive undeveloped film from a customer;
 - a development system operable to coat a processing solution onto the undeveloped film and develop the film;
 - a scanning system operable to scan the coated developed film and produce sensor data in a system-automated manner in response to the undeveloped film being developed; and
 - a data processing system operable to receive the sensor data and produce digital images that are displayable[ed] on the display for being viewed by[to] the customer.

74. (Amended) A method for allowing a customer to process their own photographic film comprising:

inserting [the] undeveloped film into a self-service film processing system;

developing the film within the self-service film processing system;

scanning the developed film within the self-service film processing system to produce digital images, wherein said scanning data is performed in a system-automated manner in response to developing the undeveloped film; and

displaying one or more of the digital images on a visual display of[to the customer at] the self-service film processing system.

85. (Amended) A self-service film processing station comprising:

a display viewable by a customer;

a film processing system operable to receive undeveloped film from the customer, wherein the film processing system develops the undeveloped film and digitizes the developed film to produce[s] digital images that are displayable[ed] on the display for being viewed by[to] the customer and wherein the film processing system digitizes the developed film in a system-automated manner in response to the undeveloped film being developed;

a customer input device operable to receive customer choices regarding which digital images to print; and

a printer operable to print the customer chosen digital images.

93. (Amended) A prepaid photoprocessing card comprising:
a media; and
an encoded data device coupled to the media, the encoding data device contains
information designating a money balance available [operable to be used]for payment in a
self-service film processing system.